

AMENDMENT UNDER 37 C.F.R. 1.116 and 1.173
U.S. APPLN. NO.: 10/609,438

ATTY DOCKET NO.: Q75265

AMENDMENTS TO THE DRAWINGS

Please see the Preliminary Amendment of July 1, 2003, and the Request for Approval of Drawing Changes of July 1, 2003 (adding new Fig. 4 to the drawings of present reissue application).

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REMARKS

Pending Claims

Claims 1-16 and 65-71 are all the claims pending in the application. Claims 1-15 are allowed. By this Amendment, new claims 16 and 65-71 are added to the original patent.

Prior Presentation of New Claims

Claims 16 and 65-71 were previously presented for examination through the cumulative changes in the Preliminary Amendment of July 1, 2003, Preliminary Amendment of September 14, 2004, Amendment Under 37 C.F.R. § 1.111 of October 27, 2004, and Amendment Under 37 C.F.R. § 1.111 of September 2, 2005.

Applicant submits that the listing of claims herein is the same as the listing of claims in the Amendment of September 2, 2005, with the exception of: i) the cancellation of claims 32-35, 37-39, 48-51 and 53-55 through the present Amendment; and ii) formatting changes involving the underlining of all pending claims that were previously presented as new claims.

Prior Presentation of Amendments to Specification

Applicant submits that the changes to the Specification regarding Fig. 4 were previously submitted for consideration in the Preliminary Amendment of July 1, 2003.

Applicant refers the Examiner to new Fig. 4 that was submitted and added via the Preliminary Amendment of July 1, 2003, and the Request for Approval of Drawing Changes of July 1, 2003. The Examiner's approval of new Fig. 4 was communicated to the Applicant's representatives through an interview conducted on October 14, 2004, as noted on pages 3-4 of the Amendment Under 37 C.F.R. § 1.111 filed on October 27, 2004.

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Applicant requests the Examiner to acknowledge receipt and approval of new Fig. 4 in the next communication from the PTO.

Supplemental Reissue Declaration

Applicant will shortly submit the required Supplemental Reissue Declaration declaring that all the corrections made since the prior declaration arose without deceptive intent.

Prior Art Rejections

Claims 32-35 and 37-39 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 26-29 and 31-33 of copending Application No. 10/612,013 (hereinafter "the '013 application").

Claims 48-51 and 53-55 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 42-45 and 47-49 of the '013 application.

Claims 65-71 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 26-32 of U.S. Patent No. 6,680,975 (hereinafter "the '975 patent").

Claim 16 is rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 18 of the '975 patent.

Claims 32-35, 37-39 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 33-36 and 38-39 of the '975 patent.

Claims 48-51 and 53-55 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 56-59 and 61-63 of the '975 patent.

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With the cancellation of claims noted above, only the rejection of claims 16 and 65-71 under double patenting over claims 26-32 of the '975 patent remains and all other rejections are now moot.

The rejection of claims 16 and 65-71 is respectfully traversed. Applicant, however, submits herewith a Terminal Disclaimer to overcome the obviousness-type double patenting rejection of the claims based on the '975 patent. Accordingly, the prior art rejections are rendered moot and withdrawal of the same is respectfully requested.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

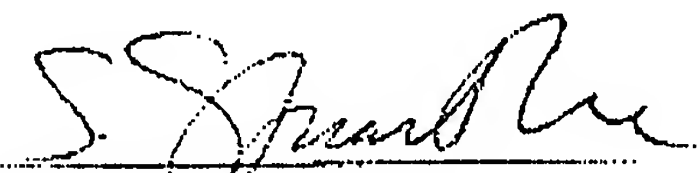
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